

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

AXION POWER INTERNATIONAL, INC., et al,

Plaintiffs

Case No 07-CV-11493

-against-

**AFFIDAVIT OF SERVICE**

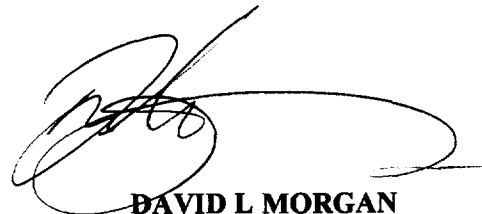
MERCATUS & PARTNERS, LTD, et al,

Defendants

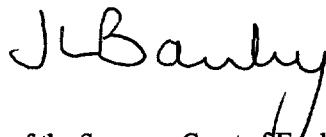
I, **DAVID LLEWELYN MORGAN**, of Across The Pond Process Service, 19 Hillside Drive, Grantham, NG31 7EZ, England, Process Server, being duly sworn, depose and say as follows:

1. THAT on Wednesday the 9<sup>th</sup> day of January 2008 before 1700 hours at Sugar Quay, Lower Thames Street, London, EC3R 6DU, England, the registered office of MF Global UK, Limited, I personally served the within Summons and Complaint, CIS and Exhibits on MF Global UK, Limited, a Defendant therein named, by personally delivering a true copy of each to Sonia George, who acknowledged herself to be "Company Secretary" for the said company and as such authorised to accept service on its behalf.
2. A description of the person actually served is as follows:  
  
SEX: F. SKIN: White. HAIR: Blond. AGE: 35-40. HEIGHT: 5' – 5'2". WEIGHT: 9-10st
3. THAT I certify that I have no interest in the above action, am of legal age and have proper authority in the jurisdiction in which service was made. Service was effected in accordance with a method prescribed by the internal law of England and Wales.

SWORN at *Theale Reading Berks* )  
this *14* day of January 2008 )

  
**DAVID L MORGAN**

Before me:



Solicitor of the Supreme Court of England and Wales

**JL BANKY  
SOLICITOR  
Banky & Burger  
18a High Street  
Theale Reading  
Berkshire RG7 5AN**

AO 440 (Rev. 8/01) Summons in a Civil Action

RETURN OF SERVICE		
Service of the Summons and complaint was made by me <sup>(1)</sup>	DATE	9 JANUARY 2008
NAME OF SERVER (PRINT) DAVID HEWELYN MORGAN	TITLE AXION -V- MERCATUS	
Check one box below to indicate appropriate method of service		
<p><b>Defendant: RF GLOBAL UK LTD</b></p> <p><input checked="" type="checkbox"/> Served personally upon the defendant. Place where served:  <div style="margin-left: 40px;">SUGAR QUAY, LOWER THAMES ST., LONDON, EC3R 6DU  <div style="text-align: right;">ENGLAND</div> </div> </p> <p><input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.  <div style="margin-left: 40px;">Name of person with whom the summons and complaint were left:</div> </p> <p><input type="checkbox"/> Returned unexecuted:</p> <p><input type="checkbox"/> Other (specify):</p>		
STATEMENT OF SERVICE FEES		
TRAVEL	SERVICES	TOTAL \$0.00
DECLARATION OF SERVER		
<p>I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.</p> <p>Executed on <u>9 JANUARY 2008</u>  <div style="display: flex; justify-content: space-between; width: 80%; margin-left: 10%;"> <div style="text-align: center;">Date</div> <div style="text-align: center;">Signature of Server</div> </div> </p> <p style="text-align: center; margin-top: 20px;"><b><u>ACROSS THE ROND PROCESS SERVER</u></b>  <div style="text-align: center;">Address of Server</div> <div style="text-align: center;">19 HILLSIDE DR  GANTHAM  NG31 7EZ  ENGLAND</div> </p>		

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.



AO 440 (Rev. 10/93) Summons in a Civil Action

## RETURN OF SERVICE

SERVICE OF: SUMMONS, COMPLAINT, CIS, EXHIBITS  
 EFFECTED (1) BY ME: OUT OF STATE  
 TITLE: PROCESS SERVER DAVID HELELYN MORGAN DATE: 9 JANUARY 2008  
 AXION POWER INTERNATIONAL INC V MERCATUS + PARTNERS LTD. et al. DOCKET 07 CV 11493

CHECK ONE BOX BELOW TO INDICATE APPROPRIATE METHOD OF SERVICE:

☒ Served personally upon the defendant:

MF GLOBAL UK LTD., by handing to COMPANY SECRETARY SONIA GEORGE

Place where served:

SUGAR QUAY, LOWER THAMES STREET, LONDON, EC3R 6DL, ENGLAND

☐ Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left:

Relationship to defendant:

Description of person accepting service:

SEX: F AGE: 35-40 HEIGHT: 5'-5 1/2" WEIGHT: 130-140lbs SKIN: W HAIR: BLOND OTHER: GLASSES

☒ To the best of my knowledge, said person was not engaged in the U.S. Military at the time of service

## STATEMENT OF SERVER

TRAVEL \$ \_\_\_\_\_

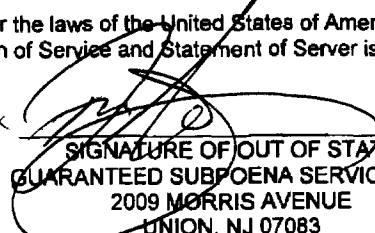
SERVICES \$ \_\_\_\_\_

TOTAL \$ \_\_\_\_\_

## DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in this Return of Service and Statement of Server is true and correct.

DATE: 9 / JAN / 2008

X  L.S.  
 SIGNATURE OF OUT OF STATE  
 GUARANTEED SUBPOENA SERVICE, INC.  
 2009 MORRIS AVENUE  
 UNION, NJ 07083

ATTORNEY: ALAN S. FELLHEIMER  
 PLAINTIFF: AXION POWER INTERNATIONAL, INC.  
 DEFENDANT: MERCATUS & PARTNERS, LTD.  
 VENUE: DISTRICT  
 DOCKET: 07 CV 11493

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.